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FEB 24 2009

OFFICE OF PETITIONS

In re Application of	:	
Peter Nicolson	:	
Application No. 10/783,434	:	ON PETITION
Filed: February 20, 2004	:	
Attorney Docket No. 920709-95578	:	

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, or in the alternative to revive under 37 CFR 1.137(a) or 1.137(b); filed February 10, 2009.

The petition is **GRANTED**.

This application was held abandoned for failure to timely file a response to the non-final Office action, mailed March 21, 2006. This Office action set an extendable period for reply of one (1) month. No response having been received, the application became abandoned on April 22, 2006. A Notice of Abandonment was mailed on November 16, 2006.

It is obvious from reviewing the file that the Office action was mailed to the incorrect address. The Office action should have been addressed to the address set forth in the Power of Attorney filed on December 9, 2005. The Change of Correspondence Address filed on February 9, 2006 should not have been entered, as it was not accompanied by a 37 CFR 3.73(b) statement.

In view thereof, **THE HOLDING OF ABANDONMENT IS WITHDRAWN**.

The matter is being forwarded to Group Art Unit 3662 for consideration of applicant's reply to the March 21, 2006 Office action, a copy of which has been supplied with the instant petition (appearing in the Image File Wrapper as "Exhibit I").

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions